

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID MOLINA and EDY MOLINA

Plaintiffs,

Civil Action No.: 07-CV-6910 (WCC)

v.

**PARTIAL DEFAULT JUDGMENT
AS TO DEFENDANT PAUL
PUCCINI**

TOP NOTCH ONE CONSTRUCTION, LLC;
JOHN PAUL GENERAL CONTRACTING &
DEVELOPMENT, INC.; and, as individuals,
ERIC JADOW, JOHN CAMPANA,
JOHN RUZZA and PAUL PUCCINI

Defendants.

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This action having been commenced on August 1, 2007 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint in this action having been duly served on defendant Paul Puccini on August 30, 2007, and said defendant having failed to plead or otherwise defend in this action, and said default having been duly noted,

NOW, on the order to show cause for default judgment by Seham, Seham, Meltz & Petersen, LLP, the attorneys for plaintiffs, it is hereby ORDERED and ADJUDGED and DECREED that:

1. Plaintiffs, Edy Molina and David Molina have judgment against defendant Paul Puccini in the liquidated amount of \$19,733.00, for damages for unpaid wages and overtime pursuant to the Fair Labor Standards Act and New York Labor Law, plus costs, disbursements and attorneys

fees in the amount of \$13,412.40, amounting in all to \$33,145.40 plus post-judgment interest at the appropriate statutory rate and that the Plaintiffs have execution therefore.

2. The judgment entered pursuant to paragraph one of this Order shall not constitute a final judgment under Rule 54(b) of the Federal Rules of Civil Procedure. This court makes no finding that there is no just reason for delay, and indeed finds that making this a final judgment would result in unnecessary delay and would not be in the best interest of justice.

Dated: White Plains, New York

U.S.D.J.